

VZCZCXRO6046
PP RUEHBI RUEHLMC
DE RUEHLM #0854/01 1660546
ZNR UUUUU ZZH
P 150546Z JUN 07
FM AMEMBASSY COLOMBO
TO RUEHC/SECSTATE WASHDC PRIORITY 6275
RUEHBK/AMEMBASSY BANGKOK 3209
RUEHKT/AMEMBASSY KATHMANDU 5300
RUEHKA/AMEMBASSY DHAKA 0210
RUEHIL/AMEMBASSY ISLAMABAD 7193
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UNCLAS SECTION 01 OF 04 COLOMBO 000854

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SENSITIVE

DEPARTMENT FOR SCA/INS AND PRM
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SUBJECT: AMBASSADOR AND OFDA DIRECTOR VISIT TO BATTICALOA, SRI LANKA

¶1. (SBU) Summary: On June 4 and 5, Ambassador and USAID Mission Director joined an OFDA assessment mission led by OFDA Director Ky Luu to Batticaloa District in eastern Sri Lanka. Also on the mission were William Berger, OFDA Regional Advisor and John Lee Park, USAID HA Program Manager. The team assessed the present humanitarian and human rights situation for current and recently returned Internally Displaced Persons (IDPs). The delegation visited IDP camps, transit sites and returnee villages in Batticaloa town and met with humanitarian agencies active in the district. The mission observed improvements in the government's handling of IDP resettlement, but many challenges remain. The Ambassador and OFDA Regional Advisor presented our key findings and recommendations to the Defense Secretary and Minister for Disaster Management and Human Rights

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(paras 11-12). End Summary

¶2. (SBU) Sri Lanka now has the largest number of IDPs in Asia due to the gradual breakdown during 2006 of the cease fire agreement between the Government of Sri Lanka (GSL) and Liberation Tigers of Tamil Eelam (LTTE). According to UNHCR, the total number of IDPs in Sri Lanka as of April 2007 was approximately 600,000, half of them newly displaced since April 2006. The large-scale conflict-induced displacement in the East, with 160,000 new IDPs in the Batticaloa District alone, has focused attention on the GSL's responsibilities and conduct towards IDPs, particularly with regard to the issue of voluntary return. In March 2007 the UN publicly criticized the GSL for reportedly organizing forced and involuntary returns of IDPs in northern Batticaloa and southern Trincomalee districts. Since then, the GSL has facilitated the return of two more waves of IDPs, including the one which this delegation observed, and announced plans to return all IDPs to their places of origin.

Meeting with Humanitarian Workers

13. (SBU) The delegation met with representatives from UNICEF, UNHCR, Save the Children, WFP, CARE, IOM, NRC, ACF, and ICRC who are active in the Batticaloa District. Key issues raised include the following:

- WFP's food supplies will run out by the end of July because of unexpected and continued large IDP influxes and lack of funding;
- All agencies agreed that the GSL has not been able to meet promises to restore normalcy and basic needs for returnees to Vakarai, a coastal community north of Batticaloa town;
- UNHCR stated that IDPs have few opportunities to voice issues and concerns in a constructive manner;
- NGOs expressed difficulty in operating at full capacity due to government restrictions on access, work permits, and intimidation by the LTTE-breakaway Karuna group, which operates in GSL-controlled areas with relative impunity.

Visit to Kurukalmadam IDP Transit Site

14. (SBU) All IDPs in Batticaloa camps from areas of planned resettlement must be processed through the Kurukalmadam transit camp immediately prior to returning to their villages of origin. The Special Task Force (STF), a police unit that serves a military function, manages the overall returns process, with the Ministry of Resettlement providing food and non-food relief items (NFRIs). IDPs received dry rations sufficient for two weeks and some NFRIs. All families were required to have a photograph taken by STF prior to return. The photos, which are to be kept in returnee households, are

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intended to help government security forces identify infiltration of LTTE cadres. IDPs expressed fear that the photos will also restrict their freedom of movement. The return process to southwest Batticaloa, in comparison to Vakarai in March 2007, was improved but still lacked the transparency necessary for IDPs to make well-informed, voluntary decisions about whether to return, according to UNHCR.

Visit to Eruvil Thodam Camp

5. (SBU) IDPs from southern Trincomalee District, who predominate at Eruvil Thodam camp, said their main concern was the possibility of forced return on June 7 to Sampur, Trincomalee, parts of which have recently been gazetted by the government as falling within a new military High Security Zone (HSZ). The IDPs, who are Tamil, said they were afraid to return because of present security conditions and feared being put into overcrowded "transit camps" in Kilivetti, Trincomalee, which border predominantly Sinhalese areas. Prior to Eruvil IDP camp, most IDPs from this camp had also been displaced in Vakarai for five months.

16. (SBU) According to UNHCR, transit sites in Trincomalee District constructed by UNHCR are now either at or over capacity, with high potential for the influx of spontaneous arrivals from Batticaloa to continue. No contingency planning has been carried out by the GSL for the possibility of IDPs in Kilivetti exceeding the capacity of the transit sites.

Visit to Kovilkulam Camp

17. (SBU) IDPs at Kovilkulam Camp, Arayampathi Division expressed concern over their return to Vavunativu and Padipallai because of ongoing shelling. IDPs had not received any information from the government on conditions in their villages or on the return process in general. Furthermore, IDPs complained of insufficient amounts of food and water and sanitation supplies in the camp.

Returnee Sites in SW Batticaloa District

¶18. (SBU) The delegation visited two villages, until recently under LTTE control, in which IDP returns had begun within the last five days. Prior to their return, IDPs from these villages had spoken with USAID/OFDA officials during visits to Batticaloa-area camps and returnee villages on May 30 and 31. At that time, IDPs expressed concerns about ongoing shelling and lack of security in their places of origin, yet said they feared STF retaliation should they refuse to return. Back in their villages, however, returnees said they were happy to be home. While claiming that no physical force was used to induce return, returnees said that the government had not offered any alternative to return and described a widely held perception among IDPs that those who stayed behind would be subject to harassment from the STF and that social support and assistance from the government would be cut off.

¶19. (SBU) Few houses and other structures were damaged by recent shelling of the area by GSL security forces, although most homes were reportedly looted during the IDPs' absence. Farmers said they are worried about unexploded ordinance (UXOs) and the slow de-mining

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process on cultivatable land preventing them from preparing for the next planting season. There appears to be freedom of movement in returnee villages, but STF soldiers advised returnees not to move outside after dark. Most families are staying in groups, or with friends and relatives at night because of fear and insecurity.

¶10. (SBU) The GSL was seen distributing kerosene, NFRI's and palm leaf roofing material to returnees. Most IDPs stated that security issues (fear of the STF, abductions, and mines), livelihoods and sustainable food supply are their main concerns for both the short- and long-term resettlement period. Most are farmers and won't be able to plant their paddy fields until August or September with harvests two to three months after that. The Divisional Secretariat and public hospitals were functioning; schools were to be re-opened in a few days, after having been cleaned.

Follow-up meeting with National Authorities

¶11. (SBU) Following the visit, Ambassador Blake and Regional OFDA Advisor Berger met with the Consultative Committee for Humanitarian Assistance, which includes the Secretary for Defense and the Minister for Disaster Management and Human Rights. Based on findings from the trip, the Ambassador made a series of recommendations, in line with international principles on IDP return, to which the GSL has since publicly agreed.

¶12. (SBU) Ambassador placed special emphasis on the importance of the GSL allowing access by international NGOs to all villages where IDPs were being resettled. He noted that such presence would not only help the government to provide food and livelihood assistance, it would reassure the IDPs about the security situation. Ambassador and UN Mission Head Lyons also urged that the GSL quickly develop a comprehensive plan for providing longer term livelihood and other assistance for all of the IDPs resettled from Batticaloa. Such a plan would enable the United Nations and donors such as the United States to understand what measures the GSL was preparing to take and where the international community might best help. Finally, the Ambassador again underscored the need to rein in the activities of the Karuna Group which continues to disrupt humanitarian relief activities. We also presented a written report that included the following recommendations:

- Timelines for the distribution of handouts should be made several weeks in advance, and go-and-see visits should be arranged in order to provide necessary information for IDPs to make a well informed decision;
- UN agencies, INGOs and de-mining agencies should have prior access to areas of return for security assessments and planning programs

for critical assistance;

- The large presence of STF forces in the process of returns intimidates and puts pressure on IDPs to return prematurely;
- Short and long term development plans for resettlement should be shared with returnees and UN/INGOs for coordination and followed closely on a regular basis.

¶13. (SBU) In response Minister Samarasinghe and Defense Secretary Rajapaksa agreed there should be no restrictions on access by international NGOs to IDPs in the districts of Batticaloa, Trincomalee and Ampara. Samarasinghe requested that the UN provide technical assistance to the GSL in developing a long-term plan for resettled IDPs. Lyons agreed to develop quickly a terms of reference for GSL approval so that work could begin within two

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weeks. Samarasinghe also impressed upon the Secretary of the Ministry of Resettlement the need for civilians in his Ministry to take over most functions from the STF so that the military profile in the resettled areas could be reduced.

Conclusions

¶14. (SBU) Comment: The team found that the INGO and UN agencies operating in Batticaloa are coordinating and working well despite the difficult security and political situation. It did not appear that UN/INGO humanitarian assistance was supporting forced returns in this area.

Blake